

Fill in this information to identify the case:

Debtor 1 Denise Smrdel

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of Ohio  
(State)

Case number 17-11469-jps

Form 4100R

**Response to Notice of Final Cure Payment**

10/15

According to Bankruptcy Rule 3002.1(g), the creditor responds to the trustee's notice of final cure payment.

**Part 1: Mortgage Information**

Name of creditor: US BANK TRUST NATIONAL ASSOCIATION  
AS TRUSTEE OF CABANA SERIES III TRUST

Court claim no. (if known): 1-1

Last 4 digits of any number you use to identify the debtor's account: 4 2 9 4

Property address: 4285 Neville Rd.  
Number Street

South Euclid OH 44121  
City State ZIP Code

**Part 2: Prepetition Default Payments**

Check one:

- ☒ Creditor agrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim.
- ☐ Creditor disagrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim. Creditor asserts that the total prepetition amount remaining unpaid as of the date of this response is: \$ \_\_\_\_\_

**Part 3: Postpetition Mortgage Payment**

Check one:

- ☒ Creditor states that the debtor(s) are current with all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

The next postpetition payment from the debtor(s) is due on: 2 / 1 / 2021  
MM / DD / YYYY

- ☐ Creditor states that the debtor(s) are not current on all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

Creditor asserts that the total amount remaining unpaid as of the date of this response is:

- a. Total postpetition ongoing payments due: (a) \$ \_\_\_\_\_
- b. Total fees, charges, expenses, escrow, and costs outstanding: + (b) \$ \_\_\_\_\_
- c. **Total.** Add lines a and b. (c) \$ \_\_\_\_\_

Creditor asserts that the debtor(s) are contractually obligated for the postpetition payment(s) that first became due on:

\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
MM / DD / YYYY

Debtor 1 Denise Smrdel  
First Name Middle Name Last Name

Case number (if known) 17-11469-jps

**Part 4: Itemized Payment History**

If the creditor disagrees in Part 2 that the prepetition arrearage has been paid in full or states in Part 3 that the debtor(s) are not current with all postpetition payments, including all fees, charges, expenses, escrow, and costs, the creditor must attach an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- ☐ all payments received;
- ☐ all fees, costs, escrow, and expenses assessed to the mortgage; and
- ☐ all amounts the creditor contends remain unpaid.

**Part 5: Sign Here**

**The person completing this response must sign it. The response must be filed as a supplement to the creditor's proof of claim.**

Check the appropriate box::

- ☐ I am the creditor.
- ☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this response is true and correct to the best of my knowledge, information, and reasonable belief.**

Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this response applies.

**X** /s/ Molly Slutsky Simons  
Signature

Date 2 / 9 / 2021

Print Molly Slutsky Simons  
First Name Middle Name Last Name

Title Attorney for Creditor

Company Sottile and Barile, Attorneys at Law

**If different from the notice address listed on the proof of claim to which this response applies:**

Address 394 Wards Corner Road, Suite 180  
Number Street

Loveland OH 45140  
City State ZIP Code

Contact phone (513) 444-4100

Email bankruptcy@sottileandbarile.com

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND DIVISION**

In Re:	Case No. 17-11469-jps
Denise Smrdel	Chapter 13
Debtor	Judge Jessica E. Price Smith

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**CERTIFICATE OF SERVICE**

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I certify that on February 9, 2021, a true and correct copy of this Agreed Response to Notice of Final Cure Payment was served:

Via the Court's ECF System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Cosmin Cocirteu, Debtor's Counsel  
chslawfirm@yahoo.com

Lauren A. Helbling, Trustee  
Ch13trustee@ch13cleve.com

Office of the U.S. Trustee  
(registeredaddress)@usdoj.gov

And by regular U.S. Mail, postage pre-paid on:

Denise Smrdel, Debtor  
4285 Neville Rd.  
South Euclid, OH 44121

Respectfully Submitted,

/s/ Molly Slutsky Simons

Molly Slutsky Simons (0083702)  
Sottile & Barile, Attorneys at Law  
394 Wards Corner Road, Suite 180  
Loveland, OH 45140  
Phone: 513.444.4100  
Email: bankruptcy@sottileandbarile.com  
Attorney for Creditor